

VERMONT BOARD OF MEDICAL PRACTICE
Minutes of the June 1, 2016 Board Meeting
Gifford Medical Center, Randolph, Vermont

Unapproved

1. Call to Order; Introduce New Members; Call the Roll; Acknowledge Guests:

William K. Hoser, PA-C called the meeting to order at 12:12 P.M.

Members Present:

Richard Bernstein, MD; Brent Burgee, MD; Richard Clattenburg, MD; Michael Drew, MD; Allen Evans; Patricia Hunter; David A. Jenkins; Leo LeCours; David Liebow, DPM; Sarah McClain; Christine Payne, MD; Joshua Plavin, MD; Harvey Reich, MD; Marga Sproul, MD.

Others in Attendance:

David Herlihy, Executive Director; Paula Nenninger, Investigator; Christiana Coyner, Board Investigator; Karen LaFond, Operations Administrator; Bessie Weiss, AAG; Kassandra Diederich, AAG; Bill Reynolds, AAG; George Belcher, Esq.

2. Public Comment:

None

3. Approval of Minutes of the May 4 and May 18, 2016 Board Meetings:

Dr. Hayward moved to accept the minutes of the May 4, 2016 meeting. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Reich moved to accept the minutes of the May 18, 2016 meeting. Ms. McClain seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

4. Board Issues (Mr. Hoser):

None

5. Administrative Update (Mr. Herlihy):

Mr. Herlihy informed the members that Dr. Goldman, a UVMMC dermatologist, will be attending the July meeting to present on use of lasers for medical and medical/cosmetic purposes. This is to provide members updated information as the

Board reviews its policy statement on use of lasers. Mr. Herlihy reminded members that this has come up for two reasons. First, given the time that has passed since the Board issued its policy statement on this topic, it is time for a review. Second, discussion of the policy came up because the Administrative Rules of the Board of Barbers and Cosmetologists include language that might be interpreted by licensees of the Board of Medical Practice to suggest that it is acceptable to delegate certain tasks that constitute the practice of medicine to persons not licensed or certified to practice any health care profession. After hearing updated information on lasers, the Board may consider adding to its statement on this issue to include a position on the acceptability of such delegations.

Mr. Herlihy noted that Dr. Drew and Dr. Payne will be attending a New England conference on opioids in Boston June 5-7.

The annual newsletter is in the works and topics of the articles will include CDC Prescribing Guidelines, acupuncture, an announcement from the Health Department's Division of Alcohol and Substance Abuse Programs on Substance Abuse in Older Adults, and a story about NTSB Safety Announcements regarding the effects of opioids and health conditions on the ability to operate vehicles safely in transportation. Members were invited to propose additional topics for articles.

Dr. Bernstein informed the Board that he has been participating on a community opioid task force in Richmond.

Dr. Reich inquired whether or not new telemedicine licensees receive a copy of the Board rules regarding telemedicine when they receive their licenses. Mr. Herlihy stated that currently, the licensee is not provided a copy, but he has been approached by many of the companies that employ physicians in telemedicine and has informed the employers about the rules. It was suggested that the rules should be sent directly to new licensees who indicate they will be working in a telemedicine setting. Mr. Herlihy stated he would draft a letter to include with packets sent to those new licensees.

6. Presentation of Applications (12:30 p.m. – 12:45 p.m.):

Applications for physician and physician assistant licensure, and certifications of radiologist and anesthesiologist assistants were presented and acted upon as detailed in Appendix A, incorporated by reference into these minutes.

7. Presentations to the Board (12:45 p.m. – 1:15 p.m.):

None

8. Recess; Convene hearing to discuss any stipulations or disciplinary matters

that are before the Board (1:15 p.m. – 1:45 p.m.)

In re: Fred J. Rossman, MD – MPS 135-0912 & MPS 060-0714 – Request for Relief from Conditions

Mr. Belcher and Ms. Diederich addressed the Board, summarizing the facts leading up to the Request for Relief from Conditions. Dr. Hayward made a motion to approve the Request for Relief from Conditions. Mr. Jenkins seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

In re: Claudia Esther Lee, MD – MPS 78-0611 – Notice of Entry Order

Mr. Belcher and Ms. Diederich addressed the Board, summarizing the facts leading up to the Notice of Entry Order. Dr. Hayward made a motion to approve the Request for Relief from Conditions. Mr. Jenkins seconded the motion. The motion passed; opposed: none; abstained: none; recused: South Investigative Committee.

9. Reconvene meeting; Executive Session to Discuss:

- **Investigative cases recommended for closure**
- **Other matters that are confidential by law, if any**

The Board began discussion of this topic out of order, before the scheduled time for the beginning of the public hearing. Dr. Bernstein made a motion at 12:36 p.m. to go into Executive Session to discuss confidential matters related to investigations. Ms. McClain seconded the motion. The motion passed; opposed: none; recused: none; abstained: none. Ms. McClain made a motion at 1:19 p.m. to return to Open Session. Dr. Liebow seconded the motion. The motion passed; opposed: none; recused: none; abstained: none.

Dr. Liebow made a motion at 1:26 p.m. to enter into Executive Session to discuss confidential matters related to investigations. Dr. Reich seconded the motion. The motion passed; opposed: none; abstained: none; recused: none

10. Return to Open Session; Board Actions on matters discussed in Executive Session:

Dr. Hayward made a motion at 1:50 p.m. to return to Open Session. Mr. Jenkins seconded the motion. The motion passed; opposed: none; abstained: none; recused: none.

Mr. LeCours, North Investigative Committee, asked to close:

MPN 039-0216 – Letter #1
MPN 058-0316 – Letter #1; Dr. Liebow recused
MPN 029-0216 – Letter #1
MPN 030-0216 – Letter #1
MPN 165-1015 – Special Letter #2
MPN 038-0216 – Letter #1; Dr. Plavin recused
MPN 053-0316 – Letter #1; Dr. Payne recused

Dr. Drew made a motion to close the cases presented. Dr. Reich seconded the motion. The motion passed; opposed: none; abstained: none; recused: 3 and North Investigative Committee.

Mr. Jenkins, Central Investigative Committee, asked to close:

MPC 025-0216 – Letter #1
MPC 024-0216 – Letter #1; Dr. Sproul recused
MPC 031-0216 – Letter #1
MPC 023-0216 – Letter #1
MPC 168-1115 – Special Letter #1; Dr. Hayward recused
MPC 065-0416 – Special Letter #1
MPC 047-0216 – Letter #1; Dr. Hayward recused
MPC 026-0216 – Letter #1; Dr. Sproul recused
MPC 022-0216 – Letter #1; Dr. Hayward recused
MPC 048-0216 – Letter #1; Dr. Hayward recused
MPC 049-0216 – Letter #1

Dr. Reich made a motion to close the cases presented. Ms. McClain seconded the motion. The motion passed; opposed: none; abstained: none; recused: 2 and Central Investigative Committee.

Dr. Reich, South Investigative Committee, asked to close:

MPS 037-0216 – Letter #1; Dr. Plavin recused
MPS 062-0316 – Letter #1
MPS 116-0715 – Special Letter #1
MPS 185-1215 – Special Letter #1

Dr. Hayward made a motion to close the cases presented. Mr. Jenkins seconded the motion. The motion passed; opposed: none; abstained: none; recused: 1 and South Investigative Committee.

11. Board Actions on Committee recommendations with regard to any non-confidential matters:

None

12. Other Business:

Mr. Herlihy noted the Central Investigative Committee will soon be relocated and information about the new location will be forthcoming.

Mr. Herlihy recognized Dr. Joshua Plavin and thanked him for his invaluable service to the Board. Dr. Plavin was presented a framed certificate of appreciation and a gift from fellow Board members.

13. Upcoming Board meetings, committee meetings, hearings, etc.: (Locations are subject to change. You will be notified if a change takes place.)

- **June 9, 2016, North Investigative Committee Meeting, 12 p.m., Vermont Department of Health, 108 Cherry Street, 3rd Floor, Conference Room 2C, Burlington, VT**
- **June 10, 2016, Central Investigative Committee Meeting, 9 a.m., National Life – North Building: Calvin Coolidge Conference Room – 6th Floor of the Deane C. Davis Building, Montpelier, VT**
- **June 15, 2016, Board meeting on pending applications, 12:10 p.m., Board of Medical Practice office, 108 Cherry Street, 2nd, Floor Burlington, VT (and via telephone)**
- **June 15, 2016, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer State Office Building, 4th Floor, Room #492, Rutland, VT**
- **July 6, 2016, Licensing Committee Meeting, 10:30 a.m., Gifford Medical Center, Red Clover Conference Room, Randolph**
- **July 6, 2016, Board Meeting, 12 p.m., Gifford Medical Center, Red Clover Conference Room, Randolph**

14. Open Forum:

15. Adjourn:

Mr. Hoser declared the meeting adjourned at 2:07 p.m.

Attachments: Appendix A

Respectfully submitted,

Karen A. LaFond
Medical Licensing & Operations Administrator

APPENDIX A

Presentation of Applications

Mr. Hoser moved for the issuance of physician licenses and physician assistant licenses for:

Valdana Aleman-Brizuela, MD	Jennifer Ashline, PA-C	Chame Blackburn, MD
Ellen Blatt, MD	Thomas Brewer, MD	Annika Chadee, MD
Joel Cohen, MD	Milangel Concepcion-Zayas, MD	Thusitha Cotter, MD
Devon Davis, MD	Benjamin Fleishman, PA-C	Ariel Gallant-Bernstein, MD
Thomas Hudson, MD	Jonathan Huz, MD	Ryosuje Kawatsuji, MD
Craig Lauer, MD	Jenna Le, MD	Marcialee Ledbetter, MD
David Lee, MD	Evan Lowy, MD	Ciara Nicholson, MD
Marcia Pabo, MD	Akshat Paliwal, MD	Timothy Partridge, MD
Joseph Phillips, MD	Craig Price, MD	Muhammad Sohail, MD
Lara Stone, DPM	Sree Susarla, MD	Jonathan Szenicz, MD
Kathleen Talbot, PA-C	Kirsten Threlkeld, MD	Mario Velez, MD

Recommended by Mr. LeCours for licensure. Seconded by Dr. Plavin. The motion passed; opposed: none; abstained: none; recused: none.

Mr. Hoser moved for the issuance of Limited Temporary Physician licenses for:

Ian Anderson, MD	Stephen Balise, MD	Nicholas Bedrin, MD
Ashley Bernotas, MD	Kelly Brooks, MD	Sean Bullis, MD
Ryan Caldwell, MD	Alejandro Castro, MD	Erin Curtis, MD
Christine DeStephan, MD	James East, MD	Katherine Evans, MD
Amanda Fernandes, MD	Daniel Gerges, MD	Gary Gilmond, MD
Preston Graham, MD	Emily Hadley-Strout, MD	Karl Hinrichs, MD
Virginia Horne, MD	John Howe, MD	Nathaniel Johnson, MD
Emily Jones, MD	Michael Kem, MD	Shah Khan, MD
Brandon King, MD	Edyth Lee-barnes, MD	Elizabeth Levine, MD
Jeffrey Maneval, MD	Erica Marden, MD	Hans Michell, MD
Serena Murphy, MD	Kaitlin Ostrander, MD	Nehpreet Pandhair, MD

Aleza Pflaum, MD
Brennan Rigby, MD
Katelyn Shea, MD
Avneet Singh, MD
Cassandra Zurawsky, MD

Julia Powelson, MD
Robin Riley, MD
Lisa Sheward, MD
Michael Stutzman, MD

Stephen Ranney, MD
Mutlay Sayan, MD
Russell Shults, MD
Michael Theriault, MD

Recommended by me. LeCours for licensure. Seconded by Dr. Hayward. The motion passed; opposed: none; abstained: none; recused: none.

DRAFT